

1 RAYMOND B. LUDWISZEWSKI
(admitted pro hac vice)

2 KARYN B. MARSH

3 (admitted pro hac vice)

Gibson, Dunn & Crutcher LLP

4 333 South Grand Avenue

Los Angeles, CA 90071-3197

5 Telephone: (213) 229-7000

Facsimile: (213) 229-7520

6 JAMES M. DANIELSON, WSBA 01629

7 Jeffers, Danielson, Sonn & Aylward, P.S.

2600 Chester Kimm Road

8 Wenatchee, WA 98801

9 Telephone: (509) 662-3685

Facsimile: (509) 662-2452

10 Attorneys for Defendant

11 CALLAHAN MINING CORPORATION

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF WASHINGTON

14
15 ASARCO LLC, a Delaware limited
16 liability company,

17 Plaintiff,

18 vs.

19 HECLA MINING COMPANY; WILLOW

20 CREEK MINERALS LLC; EQUINOX

21 RESOURCES (WASH.), INC.;

WASHINGTON RESOURCES LLC

22 (a/k/a ATLAS MINE AND MILL

23 SUPPLY, a/k/a SUMERIAN MINING

CO. OF SPOKANE, a/k/a

24 WASHINGTON RESOURCES, INC.);

and CALLAHAN MINING CORP.,

25 Defendants.
26

) NO. 2:12-CV-00381-LRS

) **ORDER GRANTING JOINT**

) **MOTION FOR DISMISSAL OF**

) **THIRD-PARTY PLAINTIFF**

) **CALLAHAN MINING**

) **CORPORATION'S THIRD-PARTY**

) **COMPLAINT AGAINST THIRD-**

) **PARTY DEFENDANT U.S. BORAX,**

) **INC. WITH PREJUDICE PURSUANT**

) **TO FED. R. CIV. P. 41(a)(2)**

**ORDER ON JOINT MOTION FOR
DISMISSAL**

Page 1

Callahan - PPO

Jeffers, Danielson, Sonn & Aylward, P.S.

Attorneys at Law

2600 Chester Kimm Road / P.O. Box 1688

Wenatchee, WA 98807-1688

(509) 662-3685 / (509) 662-2452 FAX

1	_____)
2	CALLAHAN MINING CORP.,)
3	Third-Party Plaintiff,)
4	vs.)
5	U.S. BORAX, INC., a Utah corporation;)
6	and HILLSBOROUGH RESOURCES)
7	LIMITED, a foreign corporation,)
	Third-Party Defendants.)

ORDER

This matter came before the Court on the Joint Motion for Dismissal of Third-Party Plaintiff Callahan Mining Corporation's Third-Party Complaint against Third-Party Defendant U.S. Borax, Inc. with Prejudice Pursuant to Fed. R. Civ. P. 41(a)(2) (ECF No 173). Having considered the Joint Motion, the motion is GRANTED and it is hereby ORDERED that Third-Party Plaintiff Callahan Mining Corporation's claims against Third-Party Defendant U.S. Borax, Inc. (Dkt. No. 55) are dismissed with prejudice. The caption shall be heretofore modified to reflect said dismissal.

Dated this 19th day of May, 2015.

s/Lonny R. Suko

Lonny R. Suko
Senior United States District Court Judge

**ORDER ON JOINT MOTION FOR
DISMISSAL**

Page 2
Callahan - PPO

Jeffers, Danielson, Sonn & Aylward, P.S.
Attorneys at Law
2600 Chester Kimm Road / P.O. Box 1688
Wenatchee, WA 98807-1688
(509) 662-3685 / (509) 662-2452 FAX